SUBJECT No. 34.

Transmission of civil court records to the Central Record room.

Mr. Lakshminarnappa, Chitaldrug Municipality.

Summary of discussion.—Records may be retained in courts for one year instead of for six months as recently ordered.

Reply of Government.—The existing practice need not be changed.

SUBJECT No. 35.

Appointment of receivers.

Mr. H. Shama Rao, Sagar Taluk.

Summary of discussion.—The Munsiffs may be empowered to appoint receivers for the safe custody and disposal of standing crops attached in the execution of decrees. The present practice is that the Munsiff has to obtain the permission of the District Judge before he can appoint a receiver.

Reply of Government.—Will be considered in connection with the revision of the Civil Procedure Code.

SUBJECT No. 36.

Recovery of half stamps at the outset in Civil cases and the other half after the defence is put in.

Mr. Hassan Ali Beg, Mysore City Municipality.

Summary of discussion.—Half the stamp fee in suits may be recovered from civil litigants at the outset, and the remaining half after the defence is put in.

Reply of Government.—Cannot be done.

SUBJECT No. 37.

Standing Counsel in the committing magistrates' courts.

Mr. H. P. Ramaswamy Iyengar, Chikmagalur Municipality.

Summary of discussion.—Standing Counsel may be engaged on behalf of accused persons in the case of offences punishable with death during the enquiry in the courts of committing magistrates also.

Reply of Government.—Unnecessary.

SUBJECT No. 38.

Madras system of copying fees in civil courts.

Mr. Hassan Ali Beg, ysore City Municipality.

Summary of discussion.—The Madras system of paying copying fees in civil courts by stamps maybe introduced to Mysore.

Reply of Government.—Will be referred to the Chief Court for consideration.

SUBJECT No. 39.

Memos and lists of witnesses in civil cases to be on ordinary paper.

Messrs. H. Shama Rao, Sagar Taluk and Hucheere Gowda, Gubbi Taluk.

Summary of discussion.—As the memos and lists of witnesses furnished to the civil courts are not papers to be permanently preserved in the records, the litigant public are put to unnecessary expense in having to purchase three-pie paper for preparing them. The substitution of ordinary paper for the three-pie paper may be sanctioned.

Reply of Government.—The request will be complied with. The matter will be referred to the Chief Court for needful action.

SUBJECT No. 40.

Service of processes from civil courts.

Messrs. Sreenivasa Setty, Bannur Municipality and Lingegowda Mysore Taluk.

Summary of discussion.—(*a*) The processes of civil courts may be ordered to be served on parties in the presence of the Shanbhog, Patel or a Municipal Member.

(*b*) If a party is prevented by illness from attending the court on the date of hearing, medical officers may be directed to give a certificate free of charge.

Reply of Government.—(*a*) Will be considered after the new Civil Procedure Code is introduced.

(*b*) Cannot be done.

SUBJECT No. 41.

Warrants for the release of properties sold by civil courts.

Mr. H. Shama Rao, Sagar Taluk.

Summary of discussion.—There is considerable delay, sometimes as much as one year, in obtaining sale certificates and release warrants with regard to properties sold by the order of civil courts after applications are made for the same. A rule of practice may be issued directing the early issue of the sale certificates and release warrants by treating each application as a separate miscellaneous case and fixing a date for the issue of the sale certificate or release warrant thereon, as the case may be.

Reply of Government.—Will be referred to the Chief Court. The Chief Judge has promised to notice the point during his inspections.

SUBJECT No. 42.

Stamp duty on partition decrees.

Mr. H. V. Bhima Rao, Malur Taluk.

Summary of discussion.—Whenever decrees for the partition of either movable or immovable properties are passed, the courts call upon the plaintiff to get these decrees stamped according to the stamp law before suing out for execution. In other words, the plaintiff has to pay a double duty for one and the same decree, *viz.*, the institution fee at 7½ per cent and again the stamp duty under the Stamp Regulation, 1900. This causes great hardship to the parties. The Stamp Regulation, 1900, may therefore be amended by excluding partition decrees from the definition of partition deeds.

Reply of Government.—Will be considered.

SUBJECT No. 43.

Refunds from civil courts to be notified to parties.

Messrs. Veerappa Reddi and Chikguruva Reddi, Bangalore Taluk.

Summary of discussion.—Amounts refunded by civil courts are not paid to their Counsel. The parties themselves not being aware of the number and date of the order of refund forfeit the claim many a time. The parties concerned may be therefore informed of the fact of refund by a notice and a fee for the service of such notice levied from the amount of the refund.

Reply of Government.—Noted. Will be referred to the Chief Court.

SUBJECT No. 44.

Fee on succession certificates.

Mr. Y. Rama Rao, Tumkur Municipality.

Summary of discussion.—The fee on succession certificates may be reduced where the amount for which a certificate is asked is not more than Rs. 1,000. Such an exemption existed till 1901. An exemption only on the first certificate is asked for.

Reply of Government.—Will be referred to the Chief Court and considered by Government.

SUBJECT No. 45.

The Central Nazirath system.

1. Mr. V. Raghavachar, Nanjangud Taluk.

2. Mr. K. Sankaranarayana Rao, Nagar Sabha.

Summary of discussion.—1. Under the Central Nazirath system civil court processes are not served in time upon parties and the consequence is delay in the disposal of cases which causes much inconvenience and trouble to the parties. The system may be modified.